



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/737,546  
Applicant : LITOVITZ, THEODORE A.  
Filed : DECEMBER 18, 2000  
Title : USE OF ELECTROMAGNETIC FIELDS IN CANCER AND OTHER  
THERAPIES

Art Unit : 3742  
Examiner : ROBINSON, D.L.

Atty Docket No. : CAUN-0010-1

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION/ELECTION REQUIREMENT**

Sir:

In response to the restriction/election requirement, mailed April 27, 2004, the period for response to which is set to expire on May 27, 2004. Applicant hereby elects species B, without prejudice or disclaimer.

**REMARKS**

The Examiner has required an election of one the following species:

**Species A with a secondary source that is spatially uniform, or  
Species B with a spatially varying secondary source.**

Applicant elects the claims associated with Species B, *i.e.*, claims 47-60, for prosecution in the instant application. Applicant reserves the right to file a divisional application for the subject matter covered by the remaining group. The inventor for the invention of the elected claims is the same as the inventor of record in the application.

Applicant hereby indicates that claims 15-22 and 40-45 are generic to all of the above-identified species. If the Examiner disagrees with this assessment, the Examiner is invited to contact Steven J. Prewitt at (703) 591-2664.

The following provides a summary of the status of the claims: claims 1-14 and 46 have been withdrawn, claims 24-26 have been canceled, claims 15-22 and 40-45 are generic,

# Patent Fee Transmittal for FY 2004

☒ Applicant Claims Small Entity Status 37 C.F.R. 1.27

TOTAL AMOUNT OF PAYMENT \$0.00

Application Number 09/737,546  
Filing Date December 18, 2000  
Named Inventor LITOVITZ, Theodore  
Examiner Name Robinson, D.L.  
Art Unit 3742  
Attorney Docket No. CAUN-0010-1

## FEE CALCULATION

### 1. Basic Filing Fee

Large Entity	Small Entity			Description	Paid
Code (\$)	Code (\$)				
1001 770	2001 385			Utility filing fee	\$ -
1002 340	2002 170			Design filing fee	\$ -
1003 530	2003 265			Plant filing fee	\$ -
1004 770	2004 385			Reissue filing fee	\$ -
1005 160	2005 80			Provisional filing fee	\$ -
1609 730	2609 365			IPEA U.S.	\$ -
1610 770	2610 385			ISA U.S.	\$ -
1611 1,080	2611 540			USPTO not ISA or IPEA	\$ -
1612 100	2612 50			Claims Meet PCT Art. 33-IPEA/US	\$ -
1613 920	2613 460			Filing with EPO or JPO SR	\$ -

Basic Fee Subtotal \$ -

### 2. Extra Claim Fee

a. Claims as Filed				Extra Claims		Large Entity		Small Entity		
	Code	(\$)		Code	(\$)		Code	(\$)		Paid
Total Claims	0		-20 =	0		x	1202	18	2202	9 \$ -
Independent	0		-3 =	0		x	1201	86	2201	43 \$ -
Multiple Dependent							1203	290	2203	145 \$ -

b. Claims as Amended				Present Extra		Large Entity		Small Entity			
	After Amnt		Highest Paid				Code	(\$)	Code	(\$)	Paid
Total Claims	0	-	0	*	0	x	1202	18	2202	9	\$ -
Independent	0	-	0	**	0	x	1201	86	2201	43	\$ -
First Presentation of Multiple Dependent							1203	290	2203	145	\$ -

\* Less than 20, enter 20 \*\* Less than 3, enter 3

\* Less than 20, enter 20 \*\* Less than 3, enter 3

Extra Claim Fee Subtotal \$ -

### 3. Additional Fees

Large Entity	Small Entity			Description	Paid
Code (\$)	Code (\$)				
1251 110	2251 55			Extension for reply first month	\$ -
1252 420	2252 210			Extension for reply second month	\$ -
1253 950	2253 475			Extension for reply third month	\$ -
1254 1,480	2254 740			Extension for reply fourth month	\$ -
1255 2,010	2255 1,005			Extension for reply fifth month	\$ -
1401 330	2401 165			Notice of Appeal	\$ -
1402 330	2402 165			Filing Brief in Support of Appeal	\$ -
1403 290	2403 145			Request for Oral hearing	\$ -
1460 130	2460 130			Petitions to Commissioner	\$ -
1451 1,510	2451 1,510			Petition - public use proceeding	\$ -
1452 110	2452 55			Petition to Revive - Unavoidable	\$ -
1453 1,330	2453 665			Petition to Revive - Unintentional	\$ -
1501 1,330	2501 665			Utility Issue Fee	\$ -
1502 480	2502 240			Design Issue Fee	\$ -
1503 640	2503 320			Plant Issue Fee	\$ -
1504 300	2504 300			Publication Fee	\$ -
1814 110	2814 55			Statutory Disclaimer	\$ -
1811 100	2811 100			Certificate of Correction	\$ -

(cont.)

### 3. Additional Fees (cont.)

Large Entity	Small Entity			Description (cont.)	Paid
Code (\$)	Code (\$)				
8021 40	8021 40			Recording each Assignment	\$ -
1806 180	1806 180			Submission of IDS	\$ -
1801 770	2801 385			Request for Cont. Examination	\$ -
1809 770	2809 385			Filing Submission After Final	\$ -
1051 130	2051 65			Surcharge - late filing fee or oath	\$ -
1052 50	2052 25			Surcharge - late provisional fee	\$ -
1053 130	1053 130			Non-English Specification	\$ -
1807 50	1807 50			Processing Fee 37 CFR 1.17(q)	\$ -
1812 2,520	1812 2,520			Request for Ex Parte Reexamination	\$ -
1804 920	1804 920			Request Pub. of SIR prior	\$ -
1805 1,840	1805 1,840			Request Pub. of SIR after	\$ -
1810 770	2810 385			Each Add. Invention Examined	\$ -
1802 900	1802 900			Expedited Examination (Design)	\$ -
1551 910	2551 455			Maintenance Fees 3.5 years	\$ -
1552 2,090	2552 1,045			Maintenance Fees 7.5 years	\$ -
1553 3,220	2553 1,610			Maintenance Fees 11.5 years	\$ -
1554 130	2554 65			Surcharge - Late Payment 6 mos.	\$ -
				Other fee	\$ -

Additional Fee Subtotal \$ -

### METHOD OF PAYMENT

☒ Deposit Account No. 10-0233-CAUN-0010-1

☒ The Commissioner is hereby authorized to charge the amount shown above and any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

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Signature *Steven Prewitt* Date May 10, 2004



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LETTER

Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

- ☒ Response to Restriction/Election Requirement
- ☒ Patent Fee Transmittal Form and Authorization to Charge Deposit Account
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication, including fees under 37 C.F.R. §§ 1.16 and 1.17 or credit any overpayment to **Deposit Account Number 10-0233-CAUN-0010-1**.

Respectfully submitted,

Steven J. Prewitt  
Registration Number 45,023

**JAGTIANI + GUTTAG**  
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May 10, 2004